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Name: Commissioner of Patents

Art Unit: REFUND BRANCH

Examiner: Latrice Sims

Phone:

From: D. Bruce Prout
Reg No. 20,968Re: Application No. 09/968,572
Filed September 25, 2001
Entitled POSITIVE ACTIVE MATERIAL FOR RECHARGEABLE LITHIUM
BATTERIES AND METHOD OF PREPARING SAME

File: 47227/DBP/Y35

Attached is the following: Deposit Account Statement, dated May 2005, for account no. 031728.

Please see reference Posting Ref Txt: 09968572 in the amounts of:

\$180 (fee code 1806),

\$790 (fee code: 1801).

These charges are incorrect.

An IDS and an RCE were filed on March 10, 2005, therefore, no IDS fee is required.

Therefore, refund the fee of \$180 (fee code 1806).

The \$790 filing fee for the March 10, 2005 RCE was originally charged to our deposit account on March 15, 2005. Therefore, the additional \$790 is incorrect. Therefore, refund the fee of \$790 (fee code: 1801).

In fact, this is the second time that the PTO has charged us for \$790 for the filing fee.

See our request for refund of August 2, 2005.

DJP PAS647651.1--10/18/05 3:11 PM

$$\begin{array}{r} \$790.00 \\ + 180.00 \\ \hline 970.00 \end{array}$$
Christie, Parker & Hale, LLP
350 West Colorado Boulevard
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Pasadena, CA 91109-7068
626-796-8900
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Deposit Account Statement

Page 1 of 4


**United States
Patent and
Trademark Office**

ENTERED

Deposit Account Statement

Requested Statement Month: May 2005
 Deposit Account Number: 031728
 Name: CHRISTIE PARKER & HALE
 Attention: BYRON C. HIBDON
 Address: P.O. BOX 7088
 City: PASADENA
 State: CA
 Zip: 91109-7088
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/02	118	2258400	53623/MM/C062	8521 ✓	\$40.00	\$32,317.61
05/02	117	2258400	53623/MM/C062	8522 ✓	\$175.00	\$32,142.61
05/02	254	10963056	52364/238/9660	8021 ✓	\$40.00	\$32,102.61
05/02	532	78620387	55001/HRT/P396	7001 ✓	\$325.00	\$31,777.61
05/02	547	78317319	51423/MEG/Z41	7004 ✓	\$150.00	\$31,627.61
05/02	579	78620412	55002/HRT/P396	7001 ✓	\$325.00	\$31,302.61
05/03	370	11011478	54081/DBP/S1082	8021 ✓	\$40.00	\$31,262.61
05/03	563	78203765	49682/HAC/H214	7004 ✓	\$150.00	\$31,112.61
05/03	889	78399694	52376/MM/C892	7001 ✓	\$325.00	\$30,787.61
05/04	329	78621933	55003/LTR/F191	7001 ✓	\$325.00	\$30,462.61
05/04	348	78621945	55048/LTR/T591	7001 ✓	\$325.00	\$30,137.61
05/04	1247	1894240	D214:25684/CAB	7205 ✓	\$100.00	\$30,037.61
05/04	1248	1894240	D214:25684/CAB	7201 ✓	\$400.00	\$29,637.61
05/05	16	10984264	53673/CAB/H320	1051 ✓	\$130.00	\$29,507.61
05/05	17	10984264	53673/CAB/H320	1252 ✓	\$450.00	\$29,057.61
05/05	36	10303765	49920/MEG/E303	1806 ✓	\$180.00	\$28,877.61
05/05	37	09775677	49920/MEG/E303	1806 ✓	\$180.00	\$28,697.61
05/05	75	11087185	54695/DBP/S295	8021 ✓	\$40.00	\$28,657.61
05/05	133	09880516	45291/EJP523	1454 ✓	\$130.00	\$28,527.61
05/05	134	09880516	45291/EJP523	2801 ✓	\$395.00	\$28,132.61
05/05	778	78623152	54783/DRKT552	7001 ✓	\$325.00	\$27,807.61
05/05	878	78623213	55018/DBP/S295	7001 ✓	\$325.00	\$27,482.61
05/05	1012	78192915	P621-49529/AW	7004 ✓	\$150.00	\$27,332.61
05/06	3	09966572	47227/DBP/Y35	1806 ✓	\$180.00	\$27,152.61
05/06	4	09966572	47227/DBP/Y35	1801 ✓	\$790.00	\$26,362.61
05/06	7	10450352	50358/DBP/M521	1806 ✓	\$180.00	\$26,182.61
05/06	35	5883805	53897/M531/TSD	9204 ✓	-\$2,300.00	\$23,882.61

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requests

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**REQUEST FOR CONTINUED EXAMINATION (RCE)
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 10, 2005.


Tammy Lightman

Application Number : 09/966,572 Confirmation No. 3776
Filing Date : September 25, 2001
Inventor(s) : Ho-Jin Kwcon, et al.
Title : POSITIVE ACTIVE MATERIAL FOR RECHARGEABLE LITHIUM
BATTERIES AND METHOD OF PREPARING SAME
Group Art Unit : 1746
Examiner Name : Monique M. Wills
Docket No. : 47227/DBP/Y35 Date: March 10, 2005

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is not an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. ☒ Pending (no review proceedings active)
- (1) ☐ An Action was mailed by the Office on __, as to which no appeal under 37 CFR § 1.191 has been filed and
- ☐ a response under 37 CFR § 1.116 was mailed on
- ☐ via Express Mail
- ☐ with certificate of mailing under 37 CFR § 1.8
- ☐ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☒ Allowed: the Notice of Allowance was mailed by the Office on December 17, 2004
- ☐ the Issue Fee has not been paid
- ☒ the Issue Fee has been paid and a petition under 37 CFR § 1.313 is being submitted concurrently herewith.
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.

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03/22/2005 09:00:00 031728 09966572

PAGE 37 * RCVD AT 3/10/2005 7:14:40 PM [Eastern Standard Time] * SVR:USPTO-EF-XRF-1/0 * DNS:3729396 * CSID:626 577 8800 * DURATION (mm:ss):02:10

22 FD:1000 750.00 00

Adjustment Date: 12/01/2005 SDIRETA1
05/06/2005 JTUNSTAL 00000003 031728 09966572
01 FC:1806 180.00 CR
02 FC:1801 790.00 CR